

1 **CHAPTER 5.91: MOBILE FOOD BUSINESSES**

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3 5.91.010: PURPOSE AND INTENT: It is the purpose and intent of the city council, in enacting
4 this chapter, to provide responsible companies and individuals who engage in the operation of
5 mobile food businesses with clear and concise regulations to prevent safety, traffic and health
6 hazards, as well as to preserve the peace, safety and welfare of the community.
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8 5.91.020: MOBILE FOOD BUSINESS ALLOWED:
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10 A. No person shall operate a mobile food business or a mobile food court, without first having
11 obtained a business license from the city in accordance with Title 5 of this code.
12

13 B. Mobile food truck vehicles are allowed to operate only within those zones as allowed by
14 Chapter 13.100 of this code and in accordance with the provisions of this chapter.
15

16 C. Provisions found in this section shall not apply to, vending carts, mobile ice cream vendors,
17 seasonal farm stands and other temporary merchants or uses that are specifically authorized by
18 this title or other city ordinances.
19

20 5.91.030: DEFINITIONS:
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22 MOBILE FOOD BUSINESS: A business that serves food or beverages from a self-contained unit
23 either motorized or in a trailer on wheels, and is readily movable, without disassembling, for
24 transport to another location. The term "mobile food business" shall not include vending carts or
25 mobile ice cream vendors.
26

27 MOBILE FOOD COURT: The lot or parcel where ten or less mobile food truck(s) or trailer(s) can
28 be located for the business of selling food as approved by a City of Holladay Land Use
29 Authority.
30

31 MOBILE FOOD TRAILER: A mobile food business that serves food or beverages from a
32 nonmotorized vehicle larger than three feet (3') in width and eight feet (8') in length that is
33 normally pulled behind a motorized vehicle. The term "mobile food trailer" shall not include
34 vending carts, mobile food trucks or mobile ice cream vendors.
35

36 MOBILE FOOD TRUCK: A mobile food business that serves food or beverages from an enclosed
37 self-contained motorized vehicle. The term "mobile food truck" shall not include vending carts,
38 mobile food trailers or mobile ice cream vendors.
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40 VENDING CART: Includes any nonmotorized mobile device or pushcart smaller than three feet
41 (3') in width and eight feet (8') in length from which limited types of products, are sold or
42 offered for sale directly to any consumer, where the point of sale is conducted at the cart.
43

44 5.91.040: APPLICATION FOR A BUSINESS LICENSE: Application for all mobile food
45 businesses including food courts shall be made with the city business licensing division, prior to
46 the commencement of operation. The applicant shall submit the following information:
47

- 1 A. Name and address of applicant and the name and address of all employees operating the mobile
2 food truck or trailer and/or name and address of the owner of the mobile food court.
3
- 4 B. The location(s) where the truck will be parked for business and the proposed duration of the
5 business activity along with written consent of the property or business owner.
6
- 7 C. Where applicable, a copy of the conditional use permit for a mobile food court approved by the
8 Holladay City Planning Commission.
9
- 10 D. Name and address of the approved commercial supply source and primary licensed food
11 establishment, if applicable.
12
- 13 E. Each owner or driver operating the mobile food truck shall submit a background check for
14 review by the city.
15
- 16 F. License plate number of the mobile food truck or trailer.
17
- 18 G. A description of the preparation methods and food product offered for sale, including the
19 intended menu, display, and distribution containers.
20
- 21 H. A description of the vehicle to be used in conducting business including, but not limited to, a
22 description of any method to display food or products to be offered for sale.
23
- 24 I. The anticipated volume of food to be stored, prepared, and sold.
25
- 26 J. A valid copy of all necessary licenses or permits required by state or local health and
27 transportation authorities.
28
- 29 K. Each applicant for a license or renewal under this chapter shall submit, with its application, a
30 certificate of insurance executed by an insurance company or association authorized to transact
31 business in this state, approved as to form by the city attorney, that there is in full force and
32 effect general liability insurance in an amount not less than amounts as set forth in section 63-
33 30-34 of the Utah code, as amended, or its successor. Such policy or policies shall include
34 coverage of all motor vehicles used in connection with applicant's business. A current certificate
35 of insurance shall be kept on file with the city Business License Official at all times that
36 applicant is licensed by the city verifying such continuing coverage and naming the city as an
37 additional insured. The certificate shall contain a statement that the city will be given written
38 notification at least thirty (30) days prior to cancellation or material change in the coverage
39 without reservation of nonliability for failure to so notify the city. Cancellation shall constitute
40 grounds for revocation of the license issued hereunder unless another insurance policy
41 complying herewith is provided and is in effect at the time of cancellation/termination.
42

43 5.91.050: SEPARATE APPLICATIONS: Separate business license applications may be
44 required for each mobile food business. Separate business license fees shall be required for each
45 mobile food business vehicle operating under one business license.
46

1 5.91.060: FEES; ANNUAL OPERATION: No license shall be issued or continued in
2 operation unless the holder thereof has paid an annual business regulatory fee as set forth in
3 Chapter 03.35 of this title, for each mobile food business or mobile food court.
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5 5.91.070: BUSINESS ACTIVITY TO BE TEMPORARY: All business activity related to mobile
6 food businesses shall be of a temporary nature, the duration of which shall not extend for more
7 than sixteen (16) hours within a twenty four (24) hour period at any one premises or location.
8

9 5.91.080: DESIGN AND OPERATION GUIDELINES: Mobile food trucks operating in the City
10 of Holladay shall comply with the following design requirements:
11

12 A. Mobile food truck vehicles shall be designed to meet all applicable Health Department
13 requirements.
14

15 B. The mobile food truck shall not have a drive-through.
16

17 C. Mobile food truck vehicles shall be kept in good operating condition, no peeling paint or rust
18 shall be visible.
19

20 D. No mobile food truck vehicle shall operate within one hundred feet (100') on the same linear
21 block face of a door to a restaurant, unless the application is submitted with the written consent
22 of the proprietor of such restaurant or shop. The consent shall be on forms deemed appropriate
23 by the business license administrator. Such waiver shall not exempt the applicant from
24 compliance with the other location and distance restrictions of this chapter.
25

26 E. All grounds utilized by a mobile food business shall at all times be maintained in a clean and
27 attractive condition.
28

29 F. Trash and recycling containers shall be provided for use of the business patrons.
30

31 G. Any enclosures or canopy extensions must be integrated into the design of the mobile food
32 business vehicle and must not project onto the public sidewalk or any other part of the public
33 right of way.
34

35 H. Power required for the operation of the mobile food truck may be self-contained or by the use
36 of public or private power sources upon providing written consent from the property owner.
37

38 5.91.090: SIGNS: No signs shall be used to advertise the conduct of the mobile business at the
39 premises other than that which is physically attached to the vehicle, except temporary signs
40 authorized by section 13.82.210 of this code.
41

42 5.91.100: PROFESSIONAL AND PERSONAL SERVICES PROHIBITED: The performance of
43 professional or personal services for sale shall not be provided from a mobile food truck.
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45 5.91.110: COMPLIANCE RESPONSIBILITY: The holder shall not be relieved of any
46 responsibility for compliance with the provisions of this chapter, whether the holder pays salary,
47 wages or any other form of compensation to drivers.

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2 5.91.120: SPECIAL EVENTS: The restrictions of this chapter notwithstanding, nothing herein
3 shall prohibit the city from authorizing mobile food businesses, other than those licensed under
4 this chapter, to conduct concurrent vending operations within the public right of way, or such
5 other areas as the city may deem appropriate, during special events (special event vendors). The
6 special event vendors shall not be governed by this chapter, but shall be governed by such other
7 ordinance, city policy, or executive order as may be applicable.

1 Business License Fee Table - 3.35.110.1

Code	License Category	Fee Amount	Comment
100	Automotive	\$ 325	NA
101	Banking/Credit Union	\$ 625	NA
110	Bed & Breakfast	\$ 250	NA
115	Business, Professional and Contracted Services	\$ 225	NA
116	Convenience Store/Gas	\$ 1,750	NA
120	Day Care	\$ 375	NA
130	Department Store	\$2,975	NA
140	Educational Services	\$300	NA
145	Entertainment	\$725	NA
146	Fireworks Sales	\$350	May require clean-up bond
150	Grocery Stores	\$1.050	NA
155	Hotels	\$199+12/ room	NA
160	Manufacturing	\$ 1,050	NA
161	Motion pictures and theatricals presented in unlicensed premises	\$10	Per day/per stage/per screen
162	Movie Theaters	\$ 2,925	NA
163	Personal Services	\$300	NA
164	Nursing, Residential & Personal Care	\$ 200+44/r oom	NA
166	Restaurant /Fast Food without liquor	\$700	NA
167	Restaurant with liquor	\$1,100	NA
168	Retail/Wholesale/Distribution	\$250	NA
169	Salon Booth Rental/Stylist	\$100	NA
170	Seasonal/Temporary	\$225	May require clean-up bond
190	Solicitor	\$275	NA
	<u>Mobile Food Truck or Trailer</u>	<u>\$ 275</u>	<u>NA</u>
	<u>Mobile Food Court</u>	<u>\$225</u>	<u>NA</u>
171	Smoke Shops	\$2,050	NA
172	Pharmacy/Drug Store	\$1,400	NA
173	Social Club	\$1,550	NA
174	Trade Schools	\$3,325	NA
175	Home Occupation	\$100 (new); 75 (renewal)	NA
176	Home Occupation Day Care	\$200	NA
177	3+ Apartment Complexes	\$111+10/ unit	NA
580	Brewery	\$383	Per location
500	Off-Premise Beer Retailer	\$283	Per location
510	On-Premise Beer Retailer	\$383	Per location
520	Taverns	\$523	Per location

530	On-Premise Banquet & Catering	\$383	Per location
550	Club (under 50 percent food sales)	\$523	Per location
560	Club (over 50 percent food sales)	\$433	Per location
570	Restaurant; Full Service	\$433	Per location
571	Restaurant; Limited Service	\$383	Per location
540	Special Event Alcohol	\$100	Per day
590	Special Event Permit	\$100	May be subject to bonding/temp licensing
591	Clean-up bond; special event permit	\$2,000	NA
592	License renewal (swap meet, liquidation sales, fire and damaged goods sales, etc.)	\$25	30 days per renewal
197	Establishment Name Change	\$25	NA
198	New Location Transfer	\$35	NA
900	Penalty Fee for commencing business operations without a license	25% of the assessed annual fee	If the applicant has operated without a license for less than 30 days during the fiscal year in question
920	Penalty Fee for commencing business operations without a license	100% of the assessed annual fee	If the applicant has operated without a license for more than 30 days during the fiscal year in question
	Reissuance penalty fee for expired alcoholic beverages retail sales license	25% of the total annual fees due	If the applicant has operated without a license for less than 30 days during the fiscal year in question
	Reissuance penalty fee for expired alcoholic beverages retail sales license	100% of the total annual fees due	If the applicant has operated without a license for more than 30 days during the fiscal year in question
	Application fee refunds	\$35.00 - to the extent the amount that accompanied the application exceeds \$35.00	\$35.00, or any lesser amount, shall be retained by the city to offset the cost of processing the application